

REMARKS

In the final Office Action dated September 22, 2004, the Examiner objected to the June 10, 2004 amendment under 35 U.S.C. §132 because the amendments to paragraphs [0025] and [0026] of the specification introduce new matter into the originally filed disclosure. Claims 1-17 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1-13 were rejected under 35 U.S.C. §112, second paragraph, for indefiniteness. Claims 1, 3 and 4 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,282,652 to Ballas ("Ballas"). Claims 2, 8, 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ballas in view of U.S. Patent No. 3,344,684 to Steere ("Steere"). Claims 5-7, 9, 10 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ballas in view of Steere, and further in view of Higashi. Claims 1, 3 and 4 were further rejected under 35 U.S.C. §103(a) as being unpatentable over Ballas in view of U.S. Patent No. 5,897,469 to Yalch. Claims 2, 8, 11 and 12 were further rejected under 35 U.S.C. §103(a) as being unpatentable over Ballas in view of Yalch and further in view of Steere. Claims 5-7, 9, 10 and 13 were further rejected under 35 U.S.C. §103(a) as being unpatentable over Ballas in view of Yalch and Steere and further in view of Higashi.

The Examiner advised that claims 14-17 contain subject matter which is not taught by the prior art of record, but that he could not indicate allowability of claims 14-17 at this time in light of the pending objection under 35 U.S.C. §132 and rejection under 35 U.S.C. §112, first paragraph.

During a personal interview on December 7, 2004, applicants' counsel and the Examiner discussed the outstanding objection under 35 U.S.C. §132, rejections under 35 U.S.C. §112, first and second paragraphs, and prior art rejections under 35 U.S.C. §§102, 103. The Examiner tentatively agreed that the objection under 35 U.S.C. §132 and the rejections under 35 U.S.C. §112, first and second paragraphs, would be overcome if paragraphs [0025] and [0026] of the specification and independent claims 1, 8 and 14 were amended to delete the term "single" qualifying the mounting portions of the handgrips.

Alternative amendatory language for the claims to patentably distinguish from the prior art of record was also discussed during the interview. It was proposed to amend each of independent claims 1 and 8 to further define the specific manner of connecting the handgrips to the bar by reciting fastener members (e.g., screws 24 in Fig. 5B) for fixedly mounting the handgrips to the bar at a point located substantially at a center of gravity of a sum of a mass of the

respective handgrip and a mass of a portion of the bar extending between the fixing point (i.e., point at which the bar is connected to the operation rod) and a respective one of the distal ends of the bar. The Examiner indicated that the foregoing limitation would tentatively patentably distinguish from the prior art of record if claims 1 and 8 were also amended to recite that the fastener member traverses the bar and the handgrips to connect the handgrips to the bar.

With respect to independent claim 14, the Examiner advised that deletion of the term "single" qualifying the mounting portion of the handgrips would tentatively place claim 14 in condition for allowance in light of the recitation of the subject matter noted in section 14 of the September 22, 2004 Office Action which is not taught by the prior art of record.

In a first amendment after final filed December 15, 2004, the specification and claims were amended as proposed during the December 7 personal interview to overcome the objection under 35 U.S.C. §132 and the rejections under 35 U.S.C. §112, first and second paragraphs, and to further patentably distinguish the claims from the prior art of record. In an Advisory Action dated January 19, 2005, the Examiner advised that the first amendment after final would

not be entered because the proposed amendments to claims 1 and 8 raise new issues requiring further search and consideration. The Examiner further advised that the amendment to claim 14 appears to overcome the rejection under 35 U.S.C. §112, first paragraph.

During a telephone conference on January 21, 2004, the Examiner further advised that the amendments to the specification in the first amendment after final appear to overcome the objection under 35 U.S.C. §132 and that amended claim 14 appears to be in condition for allowance.

By this second amendment after final, claims 1-13 have been canceled without prejudice or admission, thereby rendering the rejection under 35 U.S.C. §112, first and second paragraphs, and the prior art rejections of these claims moot. The specification has been amended as proposed by the Examiner during the December 7 interview to overcome the objection under 35 U.S.C. §132 by amending paragraphs [0025] and [0026] of the specification to delete the term "single" qualifying the mounting portions of the handgrips. Independent claim 14 has also been amended as proposed by the Examiner during the December 7 interview to overcome the rejection under 35 U.S.C. §112, first paragraph, by deleting the term "single" qualifying the mounting portions of the handgrips, thereby placing independent claim 14 and corresponding dependent claims 15-17 in condition for allowance.

The amendments to the specification and claims made herein do not raise new issues requiring further search and/or consideration. Instead, paragraphs [0025] and [0026] of the specification and claim 14 have been amended as proposed during the December 7, 2004 personal interview to overcome the objection under 35 U.S.C. §132 and the rejection under 35 U.S.C. §112, first paragraph, and claims 1-13 have been canceled, thereby placing the application in condition for allowance.

The Examiner is invited to contact applicants' counsel by telephone to resolve any outstanding issues in order to expedite allowance of the application.

In view of the foregoing amendments and discussion, the application is now believed to be in condition for allowance. Accordingly, entry of this amendment and favorable reconsideration and allowance of the claims are most respectfully requested.

Respectfully submitted,
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